



**Division of Air Quality**  
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## West Virginia Department of Environmental Protection

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Bob Wise  
Governor

Stephanie R. Timmermeyer  
Cabinet Secretary

### **PERMIT TO MODIFY A COAL PREPARATION PLANT**

IN ACCORDANCE WITH THE WEST VIRGINIA AIR POLLUTION CONTROL LAW (W. Va. Code §§22-5-1 et seq.), AND REGULATIONS PROMULGATED THEREUNDER, THE FOLLOWING PERMITTEE IS AUTHORIZED TO CONSTRUCT, SUBJECT TO THE TERMS AND CONDITIONS OF THIS PERMIT, THE SOURCE DESCRIBED BELOW.

This permit will supersede and replace Permit R13-2306B issued on April 1, 2002.

Name of Permittee: Consolidation Coal Company

Name of Facility: Robinson Run Preparation Plant

Permit No.: R13-2306C

Plant ID No.: 033-00018

Effective Date of Permit: DRAFT

Permit Writer: Ben Hunley

Facility Mailing Address: 1800 Washington Road  
Pittsburgh, Pennsylvania 15241-1421

County: Harrison

Nearest City or Town: Lumberport, West Virginia

UTM Coordinates: Easting: 554.82 km      Northing: 4,361.54 km      Zone: 17

Directions to  
Exact Location: From U.S. Route 19 in Shinnston, travel west on County Route 3 (Lucas Rd.) for approximately 2.7 miles until turning left on County Route 3/4. Proceed on Route 3/4 for approximately 0.9 miles to the plant site.

Type of Facility  
or Modification: Modification to add an underground mine feed system to two (2) 10,000 ton each raw coal storage silos and an overland series of three (3) conveyor belts to the Robinson Run Preparation Plant.

THE SOURCE IS SUBJECT TO 45CSR30. THE PERMITTED FACILITY'S TITLE V (45CSR30) PERMIT R30-03300018-1996, ISSUED ON AUGUST 21, 2000 MUST BE REVISED BEFORE COMMENCING OPERATION OF THE ACTIVITY (ACTIVITIES) AUTHORIZED BY THIS PERMIT.



West Virginia Department  
of Environmental Protection

"Promoting a healthy environment."

IN ACCORDANCE WITH THE PERMIT APPLICATION AND ITS AMENDMENTS, THIS PERMIT IS LIMITED AS FOLLOWS:

## A. SPECIFIC REQUIREMENTS

### 1. EMISSION POINTS AND FUGITIVE DUST CONTROL SYSTEMS/POLLUTION CONTROL DEVICES

The following table provides a list of regulated sources of air pollutant emissions authorized to operate by this permit at the subject facility:

Source ID	Emission Point ID	Equipment Description	Design Capacity	Year Installed or Modified	Control Device ID	Fugitive Dust Control System/Control Device <sup>(1)</sup>
A002, A004, A008	A001, A003, A005, A009	Conveyors (3) and Transfer Points (raw coal onto A002, drop from A002, drop from A004, drop from A008)	4,000 TPH	1994	DA001, DA003, DA005, D004	FE
A006	A006	Screen A1 (rotary breaker building)	4,000 TPH	1994	DA005	FE
A006A	A006A, A007, A010, A011	Crusher A1 (rotary breaker building) and Transfer Points (drop to A008, drop to rock bin, drop to pan)	1,000 TPH	1994	DA005, DA008	FE
004	005	Conveyor and Transfer Point (raw coal to stockpile)	4,000 TPH	1994	D006	FE
032	032, 033, 032A, 033A, 035, 036	Clean Coal Stockpile 1 (wind erosion, reclaim to conveyor, grading, dozer to reclaim, truck load-in, pan load-in)	40,000 TONS	1986	D028	MC, UC
034	034A	Conveyor and Transfer Point (clean coal destock feeder)	1,200 TPH	1986	D023	PE(conveyor), FE (TP)
026	027	Conveyor and Transfer Point (refuse)	500 TPH	1981	D027	FE
028	029, 030	Refuse Bin and Transfer Points	500 TPH	1981	N/A	FE
054	053E, 054E, 055E	Clean Coal Blending Stockpile (truck load-in, wind erosion, endloader reclaim)	50,000 TONS	2000	053C, 054C, 055C	MC, MD
056, 058	056E, 057E, 059E	Stamler Feeder and Clean Coal Reclaim Conveyor and Transfer Points (clean coal drop into 056 from endloader, feeder to reclaim conveyor, reclaim conveyor to loadout belt)	1,500 TPH	2000	N/A	MC, MD
C3	007	Conveyor and Transfer Point	2,800 TPH	2002	D007	FE

C4	009	Conveyor and Transfer Point	2,800 TPH	2002	D009	FE
C7	019	Conveyor and Transfer Point	4,000 TPH	2002	D018	FE
C7A	067	Conveyor and Transfer Point	4,000 TPH	2002	D067	FE
C15	060	Conveyor and Transfer Point	2,800 TPH	2002	D060	FE
C16	061	Conveyor and Transfer Point	1,800 TPH	2002	D061	FE
C17	062	Conveyor and Transfer Point	600 TPH	2002	D062	FE
C18	063	Conveyor and Transfer Point	1,800 TPH	2002	D063	FE
C19	064	Conveyor and Transfer Point	1,800 TPH	2002	D064	FE
C20	066	Conveyor and Transfer Point	4,000 TPH	2002	D066	FE
C21	068	Conveyor and Transfer Point	500 TPH	2002	D068	FE
C22	080	Conveyor and Transfer Point	1,800 TPH	2002	D080	FE
C23	081	Conveyor and Transfer Point	1,800 TPH	2002	D081	FE
069	065	Clean Coal Silo	4,000 TPH	2002	D065	FE
MB1	E-MB1	Mine Portal Belt	5,000 TPH	2005	NA	FE
MB2	E-MB2	Silo Feed Belt	5,000 TPH	2005	NA	FE
MB3	E-MB3	Silo Transfer Belt	5,000 TPH	2005	NA	FE
RCS2	E-RCS2	Coal Storage Silo 2	10,000 TONS	2005	NA	FE
RCS3	E-RCS3	Coal Storage Silo 3	10,000 TONS	2005	NA	FE
MB4	E-MB4	Silo Reclaim Belt	4,000 TPH	2005	NA	FE
MB5	E-MB5	Overland Mine Belt 1	4,000 TPH	2005	NA	FE
MB6	E-MB6	Overland Mine Belt 2	4,000 TPH	2005	NA	FE

<sup>(1)</sup> Transfer points (TP) have the same type of fugitive dust control system as the associated conveyors unless otherwise noted. Fugitive Dust Control System/Control Device abbreviations: FE = Full Enclosure, PE = Partial Enclosure, ST = Stacking Tube, MC = Moisture Content, MD = Minimization of Drop Height, UC = Underground reclaim feeder, TC = Telescoping Chute, EM = Enclosure and evacuation to mechanical collector, ES = Enclosure and evacuation to a scrubber, WT = Water truck

2. The throughput of coal to be handled or processed through the preparation plant, 010B, shall not exceed 2,800 tons per hour.
3. The permittee shall conduct monitoring/recordkeeping/reporting as follows for all equipment listed under SPECIFIC REQUIREMENT A.1 [Not required for stockpiles 032 and 054]:
  - a. An initial visible emissions evaluation in accordance with 40 C.F.R. 60 Appendix A, Method 9 shall be performed within ninety (90) days of permit issuance for each emission unit with a visible emissions requirement in this permit unless such evaluation was performed within the consecutive 12-month period preceding permit issuance. This initial evaluation shall consist of three 6-minute averages during one consecutive 60 minute period. The

initial evaluation shall be conducted at each emissions unit during the period of maximum expected visible emissions under normal unit and facility operations. A visible emissions evaluation shall be conducted for each emission unit at least once every consecutive 12-month period in accordance with 40 C.F.R. 60 Appendix A, Method 9. This annual evaluation shall consist of a minimum of 24 consecutive observations for each emission unit.

- b. Each emissions unit with a visible emissions limit contained in this permit shall be observed visually at least each calendar week during periods of normal facility operation for a sufficient time interval to determine if the unit has any visible emissions using 40 C.F.R. 60 Appendix A, Method 22. If visible emissions from any of the emissions units are observed during these weekly observations, or at any other time, that appear to exceed 50 percent of the allowable visible emission requirement for the emission unit, visible emissions evaluations in accordance with 40 C.F.R. 60 Appendix A, Method 9 shall be conducted as soon as practicable, but no later than one (1) month from the time of the observation. A Method 9 evaluation shall not be required under SPECIFIC REQUIREMENT A.3.b if the visible emissions condition is corrected in a timely manner; the emissions unit is operating at normal operating conditions; and, the cause and corrective measures taken are recorded.
  - c. If the initial, or any subsequent, visible emissions evaluation indicates visible emissions in excess of 50 percent of the allowable visible emissions requirement for a given emission unit, a visible emissions evaluation shall be performed for that unit at least once every consecutive 14-day period in accordance with 40 C.F.R. 60 Appendix A, Method 9. If subsequent visible emissions evaluations indicate visible emissions less than or equal to 50 percent of the allowable visible emissions requirement for the emission unit for 3 consecutive evaluation periods, the emission unit may comply with the visible emissions testing requirements of SPECIFIC REQUIREMENT A.3.b in lieu of those established in this condition.
  - d. A record of each visible emissions observation shall be maintained, including any data required by 40 C.F.R. 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable visible emissions requirement, the results of the observation, and the name of the observer.
4. The permittee shall inspect all fugitive dust control systems weekly to ensure that they are operated and maintained in conformance with their designs. The permittee shall maintain records of all scheduled and non-scheduled maintenance. Records shall be maintained on site for a period of no less than five (5) years stating any maintenance or corrective actions taken as a result of the weekly inspections, and the times the fugitive dust control system(s) are

inoperable and any corrective actions taken.

5. The permittee shall maintain daily records indicating the use of any dust suppressants or any other suitable dust control measures applied at the facility. These records shall be maintained on site for a period of no less than five (5) years.
6. The permittee shall maintain records of the coal throughput and the hours of operation. Compliance with the hourly throughput limit shall be demonstrated by dividing the calendar month's total throughput by the number of hours operated in the same calendar month to obtain an hourly average. By the fifteenth day of each calendar month, the permittee shall calculate the hourly averaged throughput of the previous calendar month. These records shall be maintained on site for a period of no less than five (5) years.
7. The conveyor belts identified in permit application R13-2306B as C5, C6, C13 and C14 shall be removed from the facility.

## **B. OTHER REQUIREMENTS**

1. The permittee shall comply with all applicable provisions of 45CSR5, 45CSR13, 45CSR16, 45CSR30 and 40 CFR 60, Subpart Y, provided that the permittee shall comply with any more stringent requirements as may be set forth under Specific Requirements, Section 9a) of this permit. Legislative Rule 45 CSR16 incorporates therein 40 CFR 60.
2. The permitted facility shall comply with all applicable requirements of 45CSR5 - "To Prevent and Control Air Pollution from the Operation of Coal Preparation Plants and Coal Handling Operations." Pertinent sections of 45CSR5 which apply to this facility include, but are not limited to, the following:

### **§45-5-3.4**

No person shall cause, suffer, allow or permit emission of particulate matter into the open air from any fugitive dust control system which is twenty percent (20%) opacity or greater.

### **§45-5-6.1**

No person shall cause, suffer, allow or permit a coal preparation plant or handling operation to operate that is not equipped with a fugitive dust control system. This system shall be operated and maintained in such a manner as to minimize the emission of particulate matter into the open air.

### **§45-5-6.2**

The owner or operator of a coal preparation plant or handling operation shall maintain dust control of the premises and owned, leased, or controlled access roads by paving, or other suitable measures. Good operating practices shall be

observed in relation to stockpiling, car loading, breaking, screening, and general maintenance to minimize dust generation and atmospheric entrainment.

3. The pertinent sections of 45CSR13 applicable to this facility include, but are not limited to, the following:

§45-13-6.1

At the time a stationary source is alleged to be in compliance with an applicable emission standard and at reasonable times to be determined by the Secretary thereafter, appropriate tests consisting of visual determinations or conventional in-stack measurements or such other tests the Secretary may specify shall be conducted to determine compliance.

§45-13-10.2

The Secretary may suspend or revoke a permit if, after six (6) months from the date of issuance, the holder of the permit cannot provide the Secretary, at the Secretary's request, with written proof of a good faith effort that construction, modification, or relocation, if applicable, has commenced. Such proof shall be provided not later than thirty (30) days after the Secretary's request. If construction or modification of a stationary source is discontinued for a period of eighteen (18) months or longer, the Secretary may suspend or revoke the permit.

§45-13-10.3

The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based or the conditions established in the permit are not adhered to. Upon notice of the Secretary's intent to suspend, modify or revoke a permit, the permit holder may request a conference with the Secretary in accordance with the provisions of W.Va Code § 22-5-5 to show cause why the permit should not be suspended, modified or revoked.

4. The pertinent sections of 40 CFR 60 applicable to this facility include, but are not limited to, the following:

§40 CFR 60.7(a)

Any owner or operator subject to the provisions of this part shall furnish written notification as follows :

§40 CFR 60.7.a.(1)

A notification of the date construction is commenced postmarked no later than 30 days after such date.

§40 CFR 60.7.a.(2)

A notification of the anticipated date of initial startup of an affected facility postmarked not more than 60 days not less than 30 days prior to such date.

§40 CFR 60.7.a.(3)

A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

§40 CFR 60.8(a)

Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, the owner or operator of such facility shall conduct performance test(s) to determine compliance with emission limitations set forth in §60.252(c) and furnish a written report of the results of such performance test(s).

§40 CFR 60.11(b)

Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Reference Method 9 in appendix A of 40 CFR 60. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

§40 CFR 60.11(d)

At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate, any affected facility including associated air pollution equipment in a manner consistent with good air pollution control practice for minimizing emissions.

§40 CFR 60.252(c)

On and after the date on which the performance test required to be conducted by §60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater.

§40 CFR 60.254(b)

The owner or operator shall determine compliance with the particulate matter standards in §60.252 as follows:

§40 CFR 60.254.b.(2)

Method 9 and the procedures in §60.11 shall be used to determine opacity

5. All notifications and reports required pursuant to 40 CFR 60 under §60.7 shall be forwarded to:

Director                      and  
WVDEP  
Division of Air Quality  
7012 MacCorkle Avenue, S. E.  
Charleston, WV 25304-2943

Director, Air Protection Division  
US Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

R13-2306C  
Consolidation Coal Company  
Robinson Run Preparation Plant

6. Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

## **C. GENERAL REQUIREMENTS**

1. In accordance with 45CSR30 - "Operating Permit Program", the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first filing a Certified Emissions Statement (CES) and paying the appropriate fee. Such Certified Emissions Statement (CES) shall be filed and the appropriate fee paid annually. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.
2. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses, and/or approvals from other agencies; i.e., local, state, and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.
3. The permitted facility shall be constructed and operated in accordance with information filed in Permit Application R13-2306, R13-2306A, R13-2306B, and R13-2306C and any amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.
4. At such reasonable time(s) as the Secretary may designate, the permittee shall conduct or have conducted test(s) to determine compliance with the emission limitations established in the permit application and/or applicable regulations. Test(s) shall be conducted in such a manner as the Secretary may specify or approve and shall be filed in a manner acceptable to the Secretary. The Secretary, or his/her duly authorized representative, may at his option witness or conduct such test. Should the Secretary exercise his option to conduct such test(s), the permittee shall provide all the necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment, and the required safety equipment such as scaffolding, railings, and ladders to comply with generally accepted good safety practices. For any tests to be conducted by the permittee, a test protocol shall be submitted to the DAQ by the permittee at least thirty (30) days prior to the test and shall be approved by the Secretary. The Secretary shall be notified at least fifteen (15) days in advance of the actual dates and times during which the test will be conducted.
5. In the event the permittee should deem it necessary to suspend, for a period in



excess of sixty (60) consecutive calendar days, the operations, either in whole or in part, authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

6. The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.
7. The permittee shall notify the Secretary, in writing, within fifteen (15) calendar days of the commencement of the construction, modification, or relocation activities authorized under this permit.
8. The permittee shall notify the Secretary, in writing, at least fifteen (15) calendar days prior to actual startup of the operations authorized under this permit.
9. This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13.
10. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7.
11. At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous calendar year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a submittal frequency other than on an annual basis.

ISSUED BY: \_\_\_\_\_

JOHN A. BENEDICT, DIRECTOR  
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF AIR QUALITY

DATE SIGNED: \_\_\_\_\_